In re: Duske, Jr. et al. Serial No.: 09/903,809 Filed: July 12, 2001

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REMARKS

Applicants appreciate the thorough examination of the present application that is reflected in the Official Action of December 15, 2004. Applicants also appreciate the Examiner's indication that Claims 19-23, 25-26 and 28 are allowed, and that Claim 13 would be allowable if rewritten in independent form. In order to place the present application in condition for allowance, Claim 13 has been rewritten in independent form by incorporating the recitations thereof into Claim 1, and by canceling Claim 13. Accordingly, Claim 1 and dependent Claim 2 that depends therefrom are now in condition for allowance. Applicants also have canceled Claims 24 and 27. Claims 25 and 26 have been amended to correct grammatical errors. Accordingly, Claims 1-2, 19-23, 25-26 and 28 are now in condition for allowance, which is respectfully requested.

Applicants also wish to note that they have <u>not</u> filed a Terminal Disclaimer to overcome the double patenting rejection of Claims 1-2, 24 and 27 with respect to U.S. Patent No. 6,292,473. Moreover, Applicants hereby withdraw the Terminal Disclaimer that was filed on July 13, 2001 in the present application with respect to Application Serial No. 09/093,095, which corresponds to U.S. Patent 6,292,473. In particular, since Applicants have now amended or canceled the pending claims so that they are no longer subject to the double patenting rejection, a Terminal Disclaimer is not necessary or appropriate.

In view of the above, Applicants respectfully request allowance of the present application and passing the application to issue.

Respectfully submitted

Mitchell S. Bigel

Registration No. 29,614 Attorney for Applicants

Customer Number 20792

Myers Bigel Sibley & Sajovec, P.A. P.O. Box 37428, Raleigh, NC 27627 919-854-1400

919-854-1401 (Fax)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 5,2005.

Susan E. Freedman

Date of Signature: January 5, 2005